

City Hall, City of Lodi,  
Monday, March 21-1921.

The Board of Trustees of the City of Lodi convened in regular session at 8 o'clock P.M. and on call of the roll, Trustees Crose, Hale, Hickok, Rich and Montgomery were present.

The minutes of the regular meeting of March 7th. were read and approved without correction.

On opening the bids for the purchase of the issue of \$200,000 improvement bonds authorized at the special election of February 15th., 1921, there was but one bid, the same being made by the Lodi National Bank, the First National Bank of Lodi and the Farmers and Merchants Bank of Lodi bidding as one person on the whole issue at par and accrued interest, delivery to be made as the city may require the money for the furtherance of its improvements.

The bid being accompanied by cashier's check and certificates of deposit to the amount \$25,000 as a guarantee that the bidder would consummate the purchase, ~~on motion of~~ Trustee Hale, seconded by Trustee Hickok ~~the~~ resolution of award No. 1125a was regularly passed and adopted and same ~~is~~ filed herein ~~on the following page.~~

The bids of ten different persons or firms were received and opened in the matter of securing additional pumping units for the city as per advertisement by the City Clerk dated February 28th. On motion of Trustee Crose, seconded by Trustee Hickok, the award of this contract was postponed until Thursday, March 24th. at 1.30 P.M. when more careful attention might be given them.

W.T. Gregg made verbal complaint that he was being overcharged on his bill for lighting, he was informed that the matter would receive attention and the meter tested if necessary.

A petition for the paving of Pleasant Avenue from the North line of Lodi Avenue to the South line of Lockeford Street was presented by W.H. Faust with the request of himself and other petitioners that this improvement be coupled with the proposed improvement of Lockeford St.

Mr. Ellsworth Archer, Rev. C.S. Price and C.R. Van Baskirk appeared before the board in protest against the licensing of the Chautauqua meetings, stating that the company conducting this entertainment was now on a non-profit basis and that they did not think that it should be forced to pay a license tax.

Permission was granted Max Hollendorf to move a dwelling from 419 E. Pine St. to 421 E. Pine and fifteen building permits totaling \$17975 were allowed.

A communication from the Secretary of the Lodi Volunteer Fire Department regarding signs and street markings at five fire hydrants in the business section was referred to the City Clerk with instructions that he obtain information as to signs that could be attached to the Corey hydrants in use at the places named.

Report of the City Plumbing Inspector was read and ordered filed.

A petition containing the names of fifteen signers requesting the opening of the east and west alley in Block 14, Lodi Barnhart Tract was received and the matter referred to the City Engineer.

It was moved by Trustee Crose seconded by Trustee Hickok and unanimously carried that Section 27 of Ordinance 118, the emergency clause, be eliminated and on motion of Trustee Crose, seconded by Trustee Hale, Ordinance No. 118 was introduced for passage:

#### ORDINANCE No. 118

AN ORDINANCE PROHIBITING IN THE CITY OF LODI, THE SALE, GIFT, STORAGE, MANUFACTURE, TRANSPORTATION, UNLAWFUL POSSESSION, IMPORTATION, OR EXPORTATION OF INTOXICATING LIQUORS FOR BEVERAGE PURPOSES; REGULATING ALL OTHER TRAFFIC IN SUCH LIQUORS; AND PROVIDING PENALTIES FOR VIOLATION HEREOF.

The above titled Ordinance having been introduced on February 21st., 1921, read and laid over for two weeks on March 7th., 1921, was duly passed and adopted by the following vote, to wit:

Ayes, Trustees: Crose, Hale, Hickok and Montgomery

Noes, Trustees: Rich.

Absent, Trustees: None.

A committee from the Local Merchants Association appeared before the board and in conjunction with the City Attorney presented for introduction a new ordinance to take the place of former ordinance No. 82 :

#### ORDINANCE No. 119

AN ORDINANCE AMENDING ORDINANCE NO. 82; AN ORDINANCE LICENSING FOR THE PURPOSE OF REVENUE AND REGULATION EVERY KIND OF LAWFUL BUSINESS HEREIN SPECIFIED, TRANSACTED OR CARRIED ON WITHIN THE CORPORATE LIMITS OF THE CITY OF LODI, STATE OF CALIFORNIA, FIXING THE RATE OF LICENSE TAX UPON THE SAME, PROVIDING FOR THE COLLECTION OF SAID LICENSE TAX AND PUNISHMENT FOR THE CARRYING ON OF SUCH BUSINESS WITHOUT A LICENSE, AND REPEALING CERTAIN ORDINANCES.

ORDINANCE No. 120

It was moved by Trustee Hickok, seconded by Trustee Crose, that Resolution No.126 be adopted:-

## RESOLUTION ESTABLISHING CURB GRADE &amp; ELEVATION.

The figures above shown are elevations in feet

Where curb line herein is established at a certain distance from a division line between a street and the lots and blocks abutting thereon, such distance is to be taken on the side of such division line towards the center of the street.

A curb return is hereby defined to be that portion of a curb which extends around a street corner and connects with the nearest adjacent curb in an intersecting street. Where an elevation is established as above at the intersection of the curb line with a street line, being one end of such a curb return such elevation shall be the elevation for the other end of the curb return at the intersection of the side line of the street with the curb line of the intersecting street, and such elevation shall also prevail throughout the curb return.

On motion of Trustee Hickok, seconded by Trustee Crose, the foregoing resolution, No. 126, was unanimously adopted.

Resolution of Intention No. 30 was then introduced:-

RESOLUTION OF INTENTION NO. 30

**RESOLUTION OF INTENTION NO. 30**

RESOLVED: THAT IT IS THE INTENTION OF THE BOARD OF TRUSTEES OF THE CITY OF LODI IN THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA TO ORDER THE FOLLOWING WORK TO BE DONE AND IMPROVEMENT TO BE MADE IN SAID CITY OF LODI TO-WIT:

That Seaton Avenue, in said City, from the South line of Lodi Avenue to the North line of Tokay Street, BE IMPROVED:

(1) By grading all portions of said Seaton Avenue upon which work is to be done and improvement made.

(2) By constructing an hydraulic concrete curb and gutter along the east side of the roadway of said Seaton Avenue.

(3) By constructing a gutter fifteen (15) inches wide along the west side of the roadway of said Seaton Avenue, having an hydraulic concrete foundation four (4) inches thick covered by an asphaltic concrete wearing surface one and one-half (1 1/2) inches thick.

(4) By paving the roadway of said Seaton Avenue between the gutter lines with an asphaltic concrete pavement consisting of an asphaltic concrete wearing surface one and one-half (1 1/2) inches thick laid on an asphaltic concrete foundation three (3) inches thick.

EXCEPTING, however, from all of the above-described work such portions as are required by law to be kept in order or repair by any person or company having railroad tracks thereon, and excepting also from all of the above-described work any of said work already done to the satisfaction of the City.

All of said work shall be done in accordance with the plans and specifications heretofore adopted for doing said work and now on file in the office of the City Clerk of said City of Lodi.

And said Board of Trustees does hereby determine and declare that said proposed work and improvement is of more than local or ordinary public benefit and will affect and benefit the lands and district hereinafter described, which said district is hereby declared to be the district benefited by said work and improvement,

and to have the exterior boundaries hereinafter described, as the boundaries thereof; that therefore, the entire cost and expenses of said work and improvement shall be, and are hereby made, chargeable against and shall be assessed upon, said lands and district, which district is within the City of Lodi, County of San Joaquin, State of California, and is particularly bounded and described as follows, to-wit:

Commencing at the Northwest corner of Lot Number One (1), in Block A of the SUBDIVISION of Block Number Seventy-two (72), of the Lodi Barnhart Tract, as per map of said SUBDIVISION filed on the 8th day of July, A. D. 1908, and recorded in Vol. 4 of Official Maps and Plats, at Page 30, in the office of the County Recorder of the County of San Joaquin, State of California, and running thence easterly along the South line of Lodi Avenue, in the City of Lodi, to a point on the same, One hundred twenty (120) feet East of the Northwest Corner of Lot Number One (1) in Block B, of said SUBDIVISION; thence Southerly on a straight line along the center line of Blocks B and C of said SUBDIVISION to the North line of Tokay Street; thence Westerly and along the North line of Tokay Street to the Southwest corner of Lot Number Twenty-seven (27) of said Block A; thence Northerly and along the West line of said Block A to the point of beginning.

PROVIDED, nevertheless, that the streets, avenues and alleys situate within said district shall be omitted from any assessment made or levied for paying the costs and expenses of the above mentioned work and improvement, the said streets, avenues and alleys belonging to said city, and being in use for the performance of a public function, to-wit, in use as public streets, avenues and alleys.

The extent of the territory to be included in said assessment district is indicated by a boundary line upon a diagram entitled "Diagram Indicating by Boundary Line the Extent of Territory to be Included in the District to be Assessed for the Improvement Provided for by Resolution of Intention to be Numbered 30," which said Diagram was approved by the Board of Trustees of said City of Lodi, on the 28th day of February, A. D. 1921, reference to which Diagram is hereby made for greater certainty.

And it is further ordered and notice

is hereby given that serial bonds to represent unpaid assessments, and bear interest at the rate of seven per cent (7%) per annum will be issued hereunder in the manner provided by the Improvement Bond Act of 1915, and Acts Amending thereto, the last installment of which bonds shall mature nine years from the 2nd day of July, next, succeeding nine months from their date.

This resolution of Intention is adopted pursuant to the provisions of those certain Acts of the Legislature of the State of California, designated respectively as the "Improvement Act of 1911," and the "Improvement Bond Act of 1915" and Acts amendatory thereto and future proceedings hereunder shall be taken and had in accordance with the provisions of said Acts.

NOTICE IS HEREBY GIVEN, that on Monday, the 18th day of April, A. D. 1921, at 8 o'clock P. M., in the Council Chamber of the said Board of Trustees, in the City Hall of said City of Lodi, any and all persons having any objection to the proposed work or improvement, may appear before said Board, and show cause why said proposed improvement should not be carried out in accordance with this Resolution.

The Clerk of this Board of Trustees is hereby directed to cause this Resolution of Intention to be published three times in "THE LODI SENTINEL," a tri-weekly newspaper published and circulated in said City and hereby designated for that purpose by the Board of Trustees, (said newspaper being the official newspaper of said City of Lodi).

The Superintendent of Streets shall cause to be conspicuously posted along the line of said contemplated work and improvement and in front of all the property liable to be assessed, notice of the passage of this Resolution of Intention, in the manner and form required by law.

Adopted this 21st day of March, A. D. 1921, by the following vote:

AYES: Trustees: Hale, Hickok, Crose, Rich and Montgomery; NOES: Trustees: None. ABSENT: Trustees: None.

ATTEST: J. F. BLAKELY, City Clerk.

Approved this 21st day of March, A. D. 1921. I. S. MONTGOMERY, President of the Board of Trustees of the City of Lodi, California.

An agreement regarding discharge of storm waters into the canals of the Stockton and Mokelumne Canal Company having been arrived at and reduced to writing, the following resolution was introduced:-

RESOLUTION NO.127.  
RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT  
WITH STOCKTON & MOKELUMNE CANAL COMPANY.

WHEREAS, it is necessary for the City of Lodi to secure a drainage of its storm waters, and

WHEREAS, the Stockton and Mokelumne Canal Company is willing to enter into an agreement whereby the City of Lodi can drain its storm waters into the canals and ditches of said company, as per agreement this day submitted, now therefore:-

BE IT RESOLVED, that the City of Lodi enter into said Agreement and the President of the Board of Trustees be and he is hereby authorized to execute said agreement for and on behalf of said City of Lodi..

On motion of Trustee Hale, seconded by Trustee Hickok, the above resolution, numbered 127, was adopted by the following vote:

Ayes: Trustees, Hale, Hickok, Crose, Rich and Montgomery  
Noes: Trustees, None.  
Absent: Trustees, None.

The following is a verbatim copy of the agreement:-

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_ 1921.

WITNESSETH: That the Stockton and Mokelumne Canal Company, a corporation of the State of California, with its principal place of business in the City of Stockton, County of San Joaquin, State of California, hereinafter termed the "Company" and the City of Lodi, a municipal corporation, situated in the County of San Joaquin, State of California, hereinafter termed the "City";-

ENTER INTO THE FOLLOWING AGREEMENT relative to the flowing of the City's storm water drainage into that section of its canals and ditches, as hereinafter described, of the Company, subject to the following conditions and for the following consideration:-

The City admits and hereby acknowledges that the material part of the consideration for its execution hereof by such Company are, and said City thereof hereby agrees, promises and covenants:-

1. That it will pay a part of the cost of replacement of four (4) siphons which are situated in that section of the Company's canal (for which storm water is to be flowed) between a point which is twenty-six (26) feet north of the south line of Kettleman Road (a public highway) where the same crosses the Company's canal situated in Section 14 of Twp.3 N., R. 6 E., M.D.B. & M. in said County of San Joaquin, and the right bank of the Calaveras River where said canal enters said river.

2. That the Company may construct such siphons of reinforced concrete in accordance with such plans as it may elect to design.

3. That the Company may construct these siphons at such times as it may select and the City agrees to pay for such siphons when completed in the following manner to-wit:

One (1) Siphon in the year 1921.  
Two (2) Siphons in the year 1922.  
One (1) Siphon in the year 1923.

And that the City shall not pay more than Six Thousand (6,000.00) Dollars for the construction of said siphons..

4. That the City will remove all substances of what ever nature from the storm waters before allowing it to flow into the canal and that the Company be the sole judge of the fitness of the waters sought to be discharged into its canal.

5. That the City will make any correction that the Company may direct relative to the clarifying of its storm waters, and if the correction is not so made within thirty days then the Company may proceed to make such correction and the City agrees to pay for the same as soon as completed.

6. That the City will at its sole cost, expense and liability save and keep the Company harmless and free from any action or proceeding, writ, order, rule or ordinance at law or in equity or before or by or of any board or officer and from any writ, order, rule or ordinance and from any cost, expense or liability on account of the discharge and flow of its storm waters into, and along said canals or main ditch and on to their final destination, because such waters are foreign or because of infection thereof ~~thereof~~

(Min. Mar. 21. cont.) (being continuation of agreement with the Stockton and Mokelumne Canal Co.)

or of the presence therein of any such substance, matter or thing, including trial or defense or any other steps, the immediate payment or satisfaction of any final judgment or order and the immediate release or dissolution of any lien or writ or order against such Company, and the immediate payment by said City to it of any counsel fees or other costs or expense by it paid or incurred or for which it was or is made liable.

7. That the rights of such canal Company hereunder shall attach to and become a part of its said right of way and property and run with the same.

8. The Company gives to the City the right to discharge its storm waters into and along the above described sections of its canals and ditches, subject to the above stated conditions.

IN WITNESS WHEREOF, the parties hereto have caused their corporate names to be signed and their corporate seals to be attached by their respective officers, whose names are hereunto so officially subscribed, who have been duly and legally empowered, authorized and directed so to do.

By \_\_\_\_\_  
President of the Board of Trustees  
of the City of Lodi.

STOCKTON AND MOKELUMNE CANAL CO.

By \_\_\_\_\_ President.  
\_\_\_\_\_ Bond holder.  
\_\_\_\_\_ Bondholder  
\_\_\_\_\_ Bond holder.

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Action in the matter of auditing the City accounts was postponed until the next session of the board.

On motion of Trustee Hale, seconded by Trustee Crose, bills to the amount of \$3419.37 were allowed and ordered paid.

At the order of the President, none objecting, the Board adjourned at 11.00 P.M. to meet at 1.00 P.M. Thursday March 24, 1921.